
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 542

**Motor Vehicles (Driving Licences)
Regulations (Northern Ireland) 1996**

Part II

Licences

Applications for licences

Application for the grant of licences: general

7.—(1) The Department may consider an application for the grant of a licence before the date on which the grant of the licence is to take effect if the application is received by it—

- (a) in the case of an application for a Group 2 licence, during the period of 3 months ending on that date;
- (b) in any other case, during the period of 2 months ending on that date,

and may during such period grant the licence so that it takes effect on that date.

(2) For the purposes of paragraphs (1)(f) and (1A)(b) of Article 5 of the Order⁽¹⁾ the holder of an exchangeable licence satisfies the relevant residence requirement if he has been normally resident in Northern Ireland for a period of not more than five years.

(3) An applicant for a licence who before the licence is granted is required to satisfy the Department that he has passed a test shall at the time when he applies for the licence deliver to the Department, in support of that application—

- (a) a certificate furnished under regulation 37(1)(a);
- (b) a certificate corresponding to the certificate mentioned in sub-paragraph (a) furnished under the law of Great Britain;
- (c) where paragraph (2) of regulation 30 applies, certificates furnished under regulations 36(2)(a) and 37(2) in accordance with regulation 30(3); or
- (d) certificates corresponding to the certificates mentioned in sub-paragraph (c) furnished under the law of Great Britain.

(4) A person may not present a certificate in support of an application as evidence that he has passed—

- (a) a test, a theory test or a practical test; or
- (b) a test corresponding to any of those tests conducted under the law of Great Britain,

if the applicant took the test in respect of which the certificate was issued at a time when he was ineligible, by virtue of an enactment contained in the Order or these Regulations or a corresponding provision of the law of Great Britain, to take the test to which the certificate relates.

(1) Article 5(1A) was inserted by [S.R. 1996 No. 426](#) Schedule 1 paragraph 2

- (5) Subject to paragraph (6) an application for the grant of a licence shall be accompanied by—
- (i) one clear unmounted facial photograph of the applicant of recent date, approximately 40 millimetres × 35 millimetres in size and endorsed on the back with the applicant’s name and address, and
 - (ii) the appropriate fee as prescribed in regulation 10.

(6) A licence may be granted to a member of the naval, military or air forces of Her Majesty without requiring him to furnish a photograph but such licence shall permit him to drive or ride a motor vehicle only when he is on duty and the motor vehicle is the property of the Crown.

(7) An applicant for a Group 2 licence shall, if required to do so by the Department, send in support of his application a report (in such form as the Department may require) signed by a qualified medical practitioner, prepared and dated not more than 4 months prior to the date on which the licence is to take effect, for the purpose of satisfying the Department that he is not suffering from a relevant or prospective disability.

- (8) In this regulation, “Group 2 licence” has the meaning given in regulation 48.

Eligibility to apply for provisional licence

8.—(1) Subject to the following provisions, an applicant for a provisional licence authorising the driving of motor vehicles of a class included in a category or sub-category specified in column (1) of the table must hold a relevant full licence authorising the driving of vehicles of a class included in the category or sub-category specified in column (2) in relation to the first category.

(2) Paragraph (1) shall not apply in the case of an applicant who is a full-time member of the armed forces of the Crown.

(3) For the purposes of paragraph (1), a licence authorising the driving only of vehicles in sub-categories D1 (not for hire or reward), D1 + E (not for hire or reward) and C1 + E (8.25 tonnes) shall not be treated as a licence authorising the driving of motor vehicles of a class included in sub-categories D1, D1 + E and C1 + E.

(4) In this regulation, “relevant full licence” means a full licence granted under Part II of the Order, a full Great Britain licence, a full British external licence, a full British Forces licence, an exchangeable licence or a Community licence.

TABLE

Column (1) Category of licence applied for	Column (2) Category of full licence required
B + E	B
C	B
C1	B
D	B
D1	B
C1 + E	C1
C + E	C
D1 + E	D1
D + E	D
G	B

Column (1) Category of licence applied for	Column (2) Category of full licence required
H	B

Restrictions on the grant of large goods and passenger-carrying vehicle driver's licences

9.—(1) An applicant for a large goods or passenger-carrying vehicle driver's licence shall not, subject to paragraph (2), be granted a licence if, at the date from which the licence applied for is to take effect, any—

- (a) large goods or passenger-carrying vehicle driver's licence held by him is suspended; or
- (b) Great Britain large goods or passenger-carrying vehicle driver's licence held by him is suspended,

under Article 73 of the Order or, as the case may be, under the provision of the law for the time being in force in Great Britain corresponding to that Article.

(2) A person may apply for a large goods vehicle driver's licence notwithstanding that, at the date from which the licence applied for is to take effect, any passenger-carrying vehicle driver's licence held by him is suspended and such suspension relates to his conduct other than as a driver of a motor vehicle.

(3) An applicant for an LGV trainee driver's licence—

- (a) must be a registered employee of a registered employer within the meaning of regulation 43;
- (b) must not be a person who—
 - (i) has been convicted (or is to be treated as if he had been convicted) of an offence by virtue of which he has incurred any further relevant endorsements, or
 - (ii) has at any time been disqualified by a court for holding or obtaining a licence or by a court in Great Britain for holding or obtaining a Great Britain licence; and
- (c) must satisfy the Department that he holds a Certificate of Professional Competence issued by the Road Haulage and Distribution Training Council stating that the applicant has completed a course of induction training in the driving of goods vehicles which meets the requirements of Council Directive 76/914/EEC(2).

Fees for licences

10.—(1) An applicant for a licence shall pay a fee (if any) determined in accordance with paragraph (2).

(2) The fee payable upon an application for a licence shall, in the case of a licence of a description, and (as the case may be) in the circumstances, specified in column (1) of the table set out in Schedule 2, be the fee specified in relation to that licence in column (2).